

MINUTES

COMMISSION MEETING

September 6, 2006

The New Hampshire Public Utilities Commission Meeting began at 3:31 P.M. on Wednesday, September 6, 2006. Chairman Thomas B. Getz, Commissioner Clifton C. Below and Commissioner Graham J. Morrison were present. Also present were the Division Heads or their designees. The following matters were discussed.

1. Approval of the September 1, 2006 Commission Meeting Minutes

A motion was made by Commissioner Morrison, seconded by Commissioner Below and unanimously approved to adopt the minutes of the September 1, 2006 Commission Meeting.

2. DT 04-019; Verizon New Hampshire, Quality of Service Investigation
DW 04-020; Fryeburg Water Company, Water Quality Investigation
DE 04-072; Public Service Company of New Hampshire,
Least Cost Integrated Resource Plan
DE 05-111; Public Service Company of New Hampshire,
Power Quality Improvement Team Pilot Project
DW 05-137; Lakes Region Water Company, Rate Proceeding
DE 05-153; Public Service Company of New Hampshire,
Petition of Pinetree Power-Tamworth, Inc., et alia
DT 06-020; Verizon New Hampshire, Wire Center Investigation
DT 06-072; Verizon New Hampshire, Flexible Pricing Regulation Plan

Chairman Getz announced the issuance of the September 1, 2006 Secretarial Letter stating that pursuant to RSA 363:32, II, the Commission has, upon its own motion, designated F. Anne Ross, director of the Commission's legal division, as a staff advocate in these dockets.

3. DT 04-019; Verizon New Hampshire
(Quality of Service)

Chairman Getz announced the issuance of the September 5, 2006 Secretarial Letter stating that the Commission has denied Verizon's request without prejudice.

4. DT 06-072; Verizon New Hampshire (Verizon)
(Flexible Pricing Regulation)

Chairman Getz stated that the Commission had intended to deliberate with respect to the Office of Consumer Advocate's latest expedited motion to stay the proceedings. However, such deliberations could be rendered moot in light of the

letter submitted on September 5 by Verizon in which it states that it is withdrawing its support for the stipulation that is the subject of this proceeding. In addition, the Commission received letters today (Sept. 6) from the OCA and New Hampshire Legal Assistance urging the Commission, despite the Verizon letter, to direct Verizon to proceed with this docket. In light of these conflicting positions, the Commission will defer deliberations under this item and Chairman Getz moved that the Commission suspend the pending dates for oral argument and the filing of testimony to allow sufficient time to fully review the Verizon, OCA and NHLA letters. Commissioner Morrison seconded and it was unanimously approved.

Chairman Getz further stated that the Commission has not had time to fully consider the various letters, but Chairman Getz had some initial observations. He stated that it is disappointing to see the withdrawal letter inasmuch as the stipulation raised important issues about the current state of competition and the appropriate corresponding regulatory model, which are issues that deserve a full airing on the merits.

He continued:

In addition, with respect to the withdrawal letter, Verizon states that the August 24 Secretarial Letter setting argument on a number of issues “casts significant doubt on the fundamental assumptions under which Verizon NH entered discussions with Staff and other parties.” To the extent Verizon may have been anticipating a particular outcome that would have resulted from that inquiry, the Commission would only note the obvious, that is, that the Commission had not prejudged the answer to any of the questions set forth in the Secretarial Letter but was instead following the normal course of insuring that the proceeding was moving forward on legally and procedurally firm footing.

5. New Business

A. DE 06-123; Unitil Energy Systems, Inc. (UES)
(Petition for Approval of Default Service Solicitation and
Proposed Default Service Tariffs)

Chairman Getz stated that on August 22, 2006, Unitil Energy Systems, Inc. (UES) filed with the Commission a request to revise the schedule for the solicitation for default service supply for both residential and large commercial and industrial customers for the period beginning November 1, 2006. UES explained that a major solicitation of another large New England utility would be prudent to postpone and reschedule the final bid and filing and approval dates. UES stated that the Office of Consumer Advocate had no objections to the rescheduling.

Chairman Getz moved that the Commission grant UES's request to reschedule the final bid due date and subsequent filing and will schedule a hearing for September 27, 2006 at 9:00 a.m.

Commissioner Morrison seconded and it was unanimously approved.

B. DE 06-115; Granite State Electric Company d/b/a National Grid
Default Service Request for Proposal for Service
Beginning November 1, 2006 through April 30, 2007 and
November 1, 2006 through January 31, 2007

Chairman Getz stated that on August 21, 2006, National Grid filed with the Commission a request to revise the solicitation schedule to procure default service supply for both residential and large commercial and industrial customers for the period beginning November 1, 2006. In light of a major solicitation, it would be prudent to postpone and reschedule the final due date and subsequent filing. National Grid stated that Staff and the Office of Consumer Advocate have no objections to the rescheduling.

Chairman Getz moved that the Commission grant National Grid's request to reschedule the final bid due date and subsequent filing and schedule a hearing for September 27, 2006 at 1:30 p.m.

Commissioner Morrison seconded and it was unanimously approved.

6. Administrative Matters

Chairman Getz announced that the next Commission Meeting will be held on Tuesday, September 12, 2006, at 3:30 P.M.

A motion was made by Commissioner Morrison, seconded by Commissioner Below and unanimously approved to adjourn this meeting. The meeting adjourned at 3:35 P.M.